

ORDINANCE NO. 612

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM DESERT, AMENDING CHAPTER 8.12, TRASH ENCLOSURES, OF THE PALM DESERT MUNICIPAL CODE.

WHEREAS, the City of Palm Desert has initiated a Citywide recycling program as required by AB 939; and

WHEREAS, the City of Palm Desert is required to recycle 25% of our solid waste in 1995 and 50% by year 2000; and

WHEREAS, to achieve the mandated percentages the City must develop successful commercial, constitutional multifamily and manufacturing recycling programs; and

WHEREAS, successful recycling programs depend on adequate facilities to separate solid waste and the recycling material; and

NOW, THEREFORE, the City Council of the City of Palm Desert, California, does hereby ordain as follows:

Section 1. That Chapter 8.12 Trash Enclosures be amended to read as Chapter 8.12 Solid Waste and Recycling Enclosures.

Section 2. That within Chapter 8.12, the term "trash enclosures" be defined hereinafter as "solid waste and recycling enclosures," unless otherwise specified.

Section 3. That Section 8.12.030 Construction Standards be amended to read as follows:

"8.12.030 Construction Standards. Solid waste and recycling enclosures shall be of adequate size to contain a solid waste container and a recycling container. Minimum construction standards shall be as designated in Exhibits A, B, and C of this ordinance, on file in the City Clerk's Office or approved by the Environmental Conservation Manager; provided that the enclosure shall be of adequate size, and shall be properly located for functional use by the user and the disposal company and shall be view-obscured from all sides and shall be built of approved materials compatible to the buildings, walls and surroundings."

Section 4. That Section 8.12.040 Size be amended to read as follows:

"8.12.040 Size. The normal solid waste and recycling enclosure area shall be a minimum of twenty-one feet six inches deep with a six-foot high decorative wall and sight-obscuring gate. Equal space within the enclosure shall be given to the recycling area and the solid waste area. Deviation in size may be made by the Environmental Conservation Manager."

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Section 5. The City Council shall clarify to the passage of this ordinance and shall cause the same to be printed once in the Palm Desert Post, a newspaper of general circulation, printed, published, and circulated in the City of Palm Desert, and the same shall be in full force and effect thirty (30) days after its adoption.


PASSED, APPROVED and ADOPTED by the City Council of the City of Palm Desert, California on this 13th day of September, 1990, by the following vote, to wit:

AYES: BENSON, KELLY, SNYDER, WILSON, CRITES

NOES:

ABSENT:

BSTAIN:


BUFORD A. CRITES, Mayor
City of Palm Desert, California

ATTEST:


SHEILA R. GILLIGAN, City Clerk
City of Palm Desert, California

JW/rgf

Chapter 8.12

TRASH ENCLOSURES

Sections:

8.12.005	Definition of term.
8.12.010	Required.
8.12.020	Exceptions.
8.12.030	Construction standards.
8.12.040	Size.
8.12.050	Installation.
8.12.060	Violation—Penalty.

8.12.005 Definition of term.

Within this chapter, the term “trash enclosures” is defined hereinafter as “solid waste and recycling enclosures,” unless otherwise specified. (Ord. 612 § 2, 1990)

8.12.010 Required.

In order to protect persons against hazardous conditions and safeguarding the public welfare by preventing unsightly storage of trash that may devalue the neighborhood and community, the city council requires trash enclosures to be provided for all multifamily, office, institutional, commercial and manufacturing uses in any zone district in the city. Refuse storage areas may be combined for more than one use, provided the capacity is adequate for all users. (Ord. 56 § 1 (part), 1974)

8.12.020 Exceptions.

A. The requirement of trash enclosures shall not apply for uses where the refuse container is completely screened from the public by walls, fences, buildings or planting.

B. Temporary use of twelve-cubic-yard containers or larger, or temporary compactors for cleanup of lots or buildings shall not be required to be enclosed. (Ord. 56 § 1(a), (b), 1974)

8.12.030 Construction standards.

Solid waste and recycling enclosures shall be of adequate size to contain a solid waste container and a recycling container. Minimum construction standards shall be as designated in Exhibits A, B and C of the ordinance codified in this chapter, on file in the city clerk's office or approved by the environmental conservation manager; provided, that the enclosure shall be of adequate size, and shall be properly located for functional use by the user and the disposal company and shall be view-obscured from all sides and shall be built of approved materials compatible to the buildings, walls and surroundings. (Ord. 612 § 3, 1990: Ord. 88 § 1, 1975: Ord. 56 § 2, 1974)

8.12.040 Size.

The normal solid waste and recycling enclosure area shall be a minimum of twenty-one feet six inches deep with a six-foot high decorative wall and sight-obscuring gate. Equal space within the enclosure shall be given to the recycling area and the solid waste area. Deviation in size may be made by the environmental conservation manager. (Ord. 612 § 4, 1990: Ord. 88 § 2, 1975: Ord. 56 § 3, 1974)

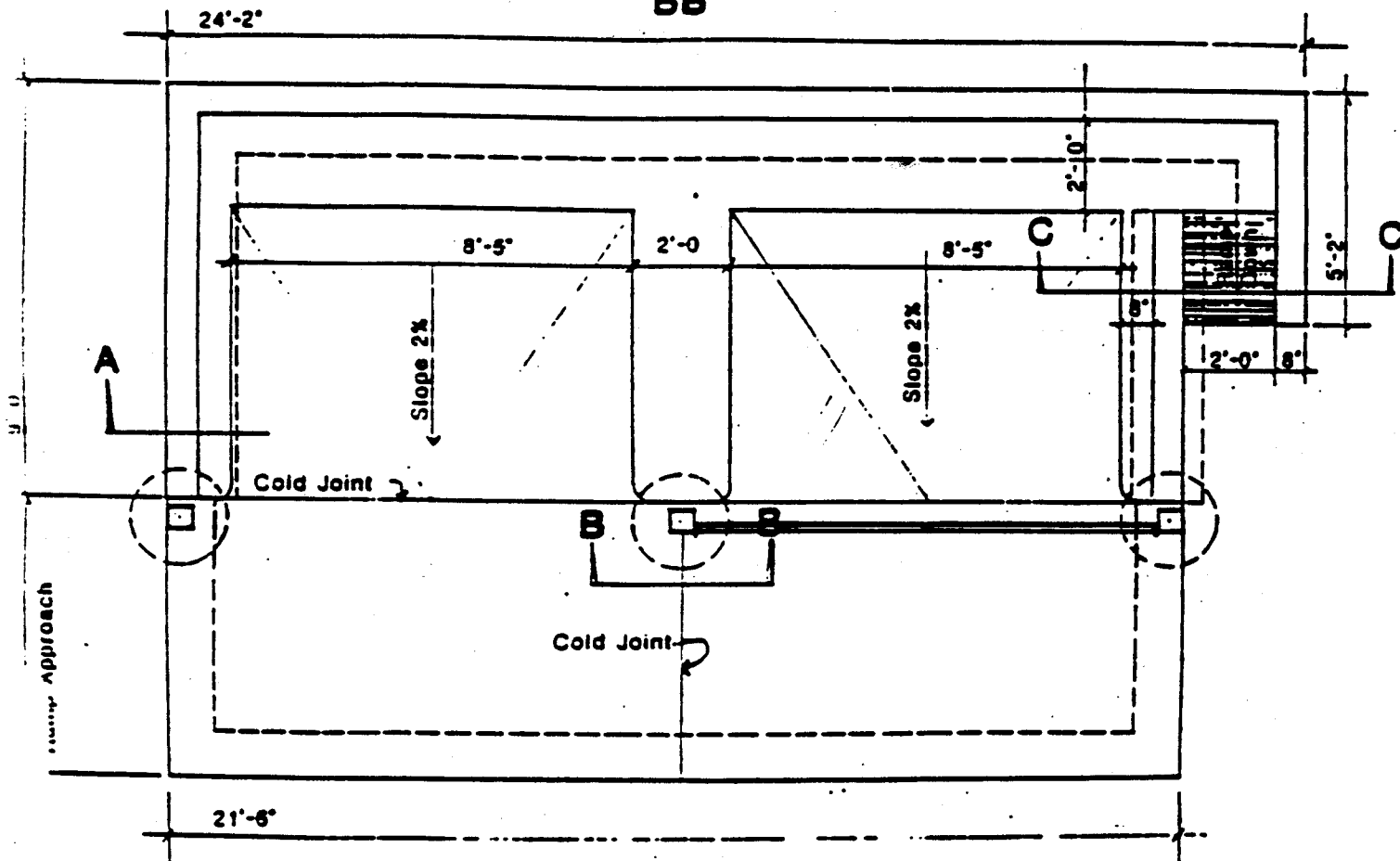
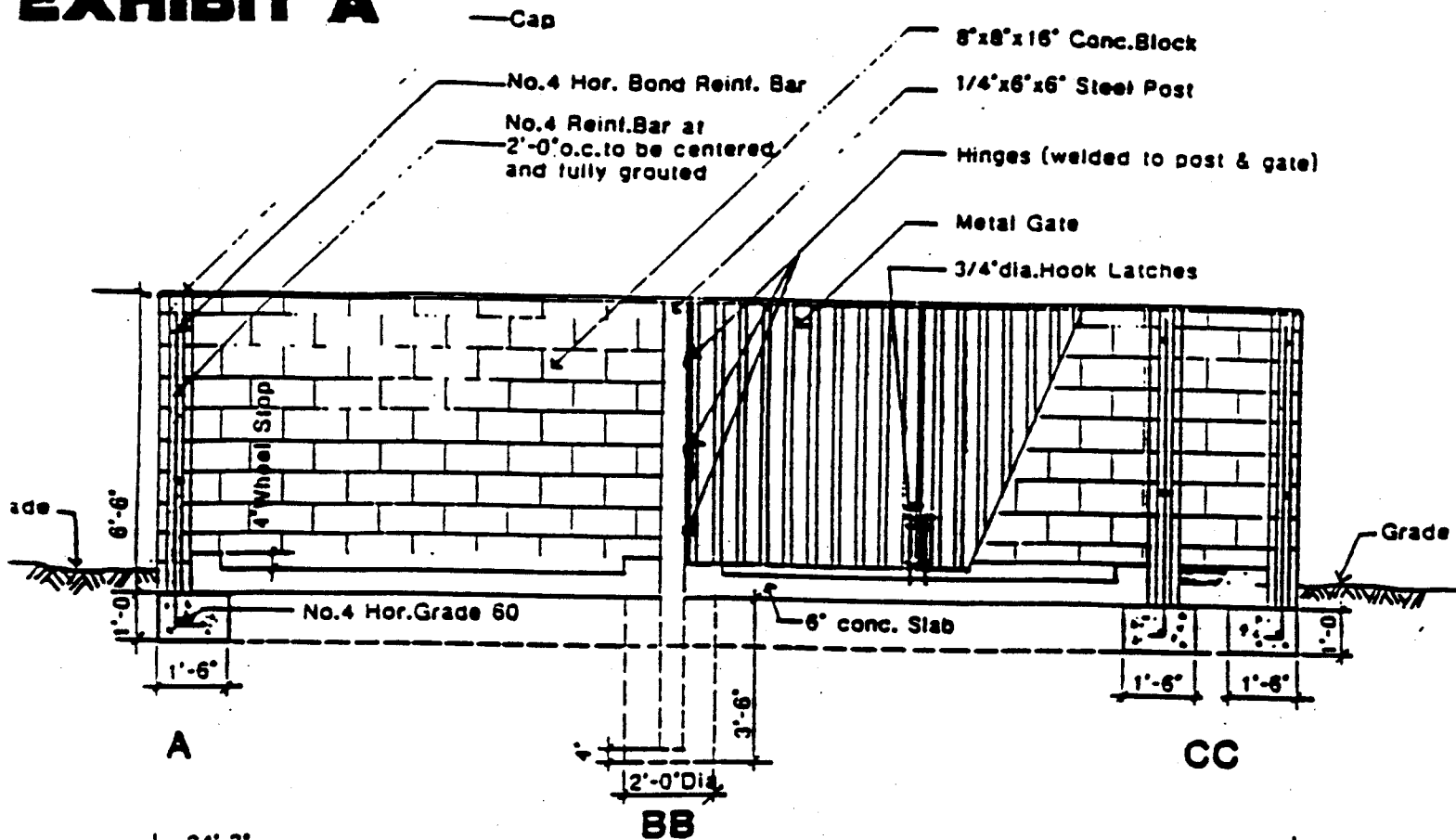
8.12.050 Installation.

All existing developments described in Section 8.12.010 shall install approved trash enclosures within one year from the date of approval of the ordinance codified in this chapter, and within thirty days of the official notification by the city of any violation to this chapter. (Ord. 56 § 4, 1974)

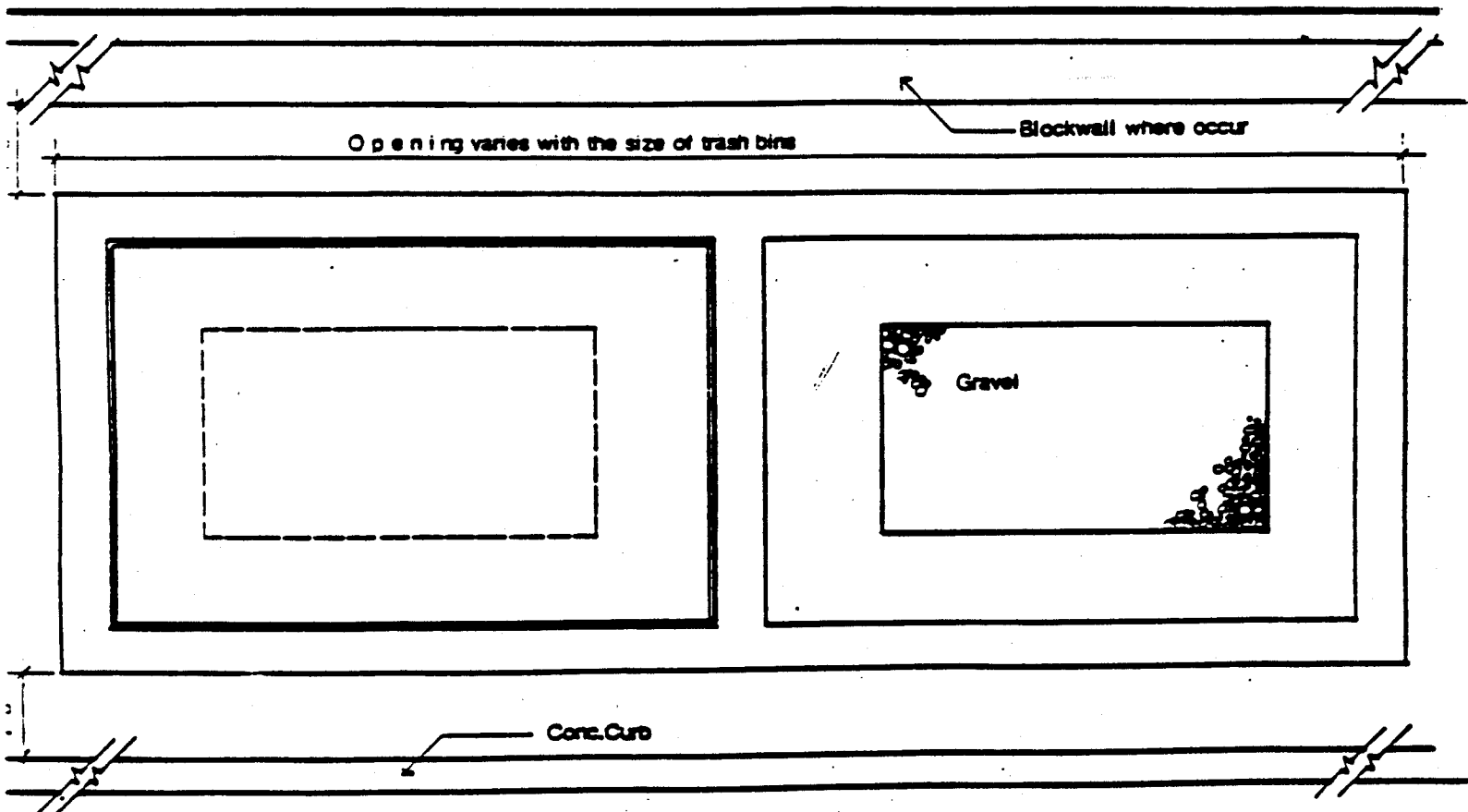
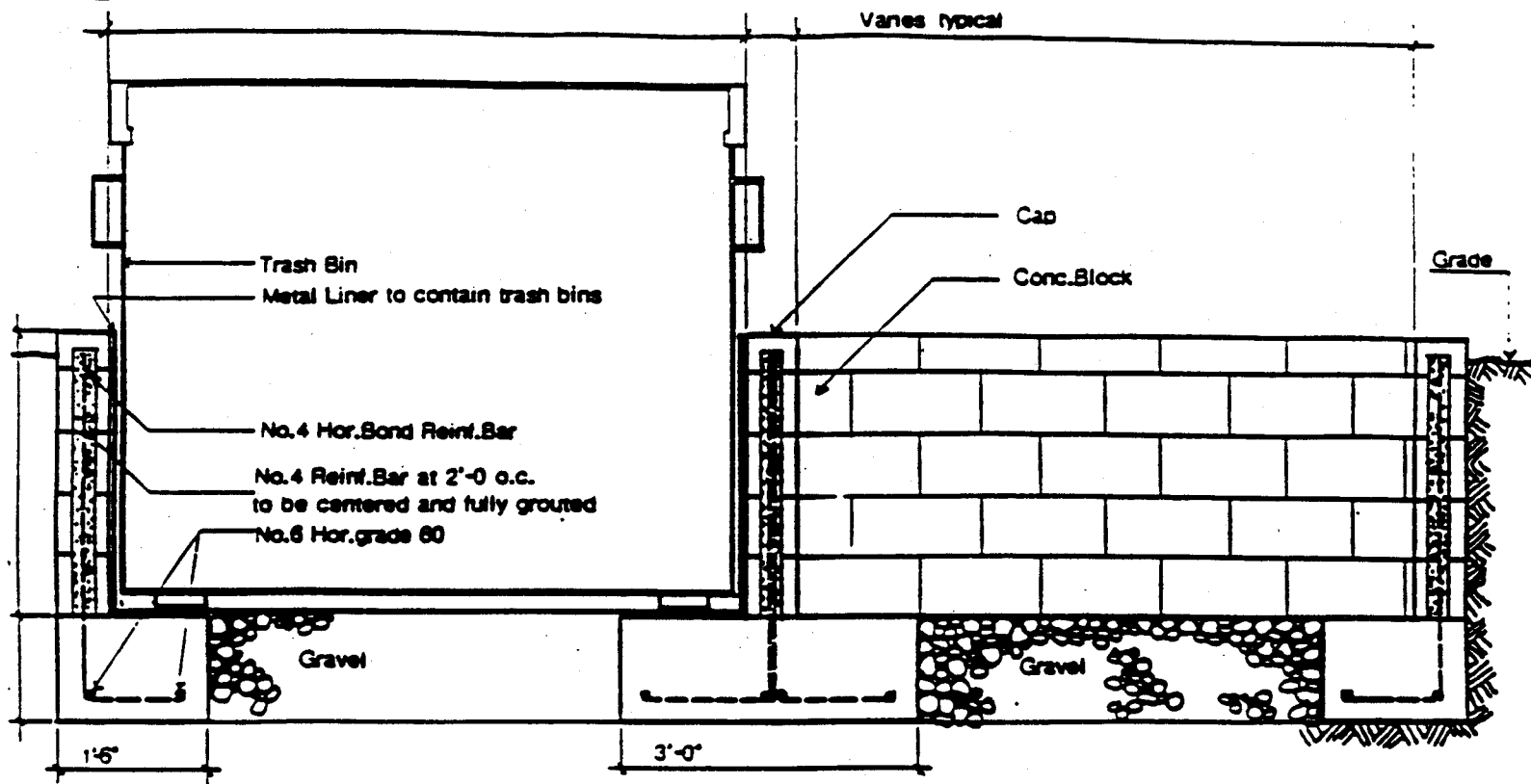
8.12.060 Violation—Penalty.

It is unlawful for any person to violate any provision or fail to comply with any of the requirements of this chapter. Any person violating any provision of this chapter or failing to comply with any of the requirements is deemed guilty of a misdemeanor in accordance with Chapter 1.12 of this code. (Ord. 404 § 2, 1984)

EXHIBIT A



SOLID WASTE AND RECYCLING ENCLOSURE EXHIBIT B



SOLID WASTE AND RECYCLING ENCLOSURE

EXHIBIT C

